C.S. No. 22 of 2006

14.9.2007 Present: Mr. Ramakant Sharma, counsel for the plaintiffs.

Mr. G.C. Gupta, Senior Advocate with Mr. Mohinder Gautam, Advocate, for defendants No. 1 to 5.

Mr. Ashwani K. Sharma, counsel for the proposed applicant.

OMP No. 141 of 2007:

This application has been filed by the applicant to be impleaded as a party to the suit on the ground that prior to the agreement executed in between the parties on 19.3.2005, there was already an agreement in between the applicant and defendants No. 1 to 5 through defendant No. 6 in regard to the same property for which the suit for specific performance has been filed. There is no privity of contract in between the plaintiff and the proposed applicant. The validity of the agreement in between applicant and defendants also needs to be considered. The learned counsel for the applicant submits that the applicant has filed separately a suit for specific performance based on the agreement. In view of the facts, the applicant cannot be termed as a necessary party to the suit. The application is dismissed accordingly. The application is dismissed accordingly.

C.S. No. 22 of 2006:

The case be put up for admission and denial before the Registrar(Inspection).

September 14, 2007 **(V.K. Ahuja), J.**
(BSS)